

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

BERNARD A. VALENTIN,

Plaintiff,

v.

THE OFFICE OF THE MONMOUTH
COUNTY PROSECUTOR'S OFFICE,
et al.,

Defendants.

Civil Action No. 14-3334 (JAP)

MEMORANDUM AND ORDER

Plaintiff Bernard A. Valentin, a prisoner confined at Monmouth County Correctional Institution, has filed this civil action *in forma pauperis*, without prepayment of fees or security, asserting claims pursuant to 42 U.S.C. § 1983.

Plaintiff's filing is deficient because the Complaint is not signed. Pursuant to Rule 11(a) of the Federal Rules of Civil Procedure, every pleading must be signed and this Court must strike any unsigned pleading unless the deficiency is promptly corrected. Plaintiff has had ample time to correct his initial filing yet has not submitted a signed pleading.

THEREFORE, it is on this 17th day of September, 2014;

ORDERED that Plaintiff's Complaint will be stricken; and it is further

ORDERED that the Clerk of the Court shall administratively terminate this case, without filing the complaint or assessing a filing fee; Plaintiff is informed that administrative termination is not a "dismissal" for purposes of the statute of limitations, and that if the case is reopened, it is not subject to the statute of limitations time bar if it was originally filed timely, *see Jenkins v.*

Superintendent of Laurel Highlands, 705 F.3d 80, 84 n.2 (2013) (describing prisoner mailbox rule generally); *Dasilva v. Sheriff's Dept.*, 413 Fed.Appx. 498, 502 (3rd Cir. 2011) (“[The] statute of limitations is met when a complaint is submitted to the clerk before the statute runs”); and it is further

ORDERED that if Plaintiff wishes to reopen this case, he shall so notify the Court, in writing addressed to the Clerk of the Court, Clarkson S. Fisher U.S. Courthouse and Federal Bldg., 402 East State Street, Trenton, New Jersey 08608, within 30 days of the date of entry of this Order; Plaintiff’s writing shall include a signed copy of the Complaint; and it is further

ORDERED that upon receipt of a writing from Plaintiff complying with this Order, the Clerk of the Court will be directed to reopen this case; and it is finally

ORDERED that the Clerk of the Court shall serve a copy of this Order upon Plaintiff by regular U.S. mail.

/s/ Joel A. Pisano
JOEL A. PISANO
United States District Judge